NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Diana Hynek 07/14/2003 Departmental Paperwork Clearance Officer Office of the Chief Information Officer 14th and Constitution Ave. NW. Room 6625 Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a revision of an information collection received on 06/05/2003.

TITLE: Tortugas Access Permits

AGENCY FORM NUMBER(S): None

ACTION: APPROVED WITHOUT CHANGE

OMB NO.: 0648-0418

EXPIRATION DATE: 07/31/2006

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	302	24	0
New	94	8	0
Difference	-208	-16	0
Program Chan	ge	0	0
Adjustment		-16	0

TERMS OF CLEARANCE: None

OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of

Information and Regulatory Affairs

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's

Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503. 1. Agency/Subagency originating request 2. OMB control number b. [] None 3. Type of information collection (*check one*) Type of review requested (check one) Regular submission a. [b. [Emergency - Approval requested by ____ a. [] New Collection Delegated b. [] Revision of a currently approved collection c. [] Extension of a currently approved collection 5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? [] Yes [] No d. [] Reinstatement, without change, of a previously approved collection for which approval has expired e. [] Reinstatement, with change, of a previously approved collection for which approval has expired 6. Requested expiration date f. [] Existing collection in use without an OMB control number a. [] Three years from approval date b. [] Other Specify: For b-f, note Item A2 of Supporting Statement instructions 7. Title 8. Agency form number(s) (if applicable) 9. Keywords 10. Abstract 11. Affected public (Mark primary with "P" and all others that apply with "x") 12. Obligation to respond (check one) a. __Individuals or households d. ___Farms
b. __Business or other for-profite. ___Federal Government] Voluntary Business or other for-profite. Federal Government

Not-for-profit institutions f. State, Local or Tribal Government Required to obtain or retain benefits 1 Mandatory 13. Annual recordkeeping and reporting burden 14. Annual reporting and recordkeeping cost burden (in thousands of a. Number of respondents b. Total annual responses a. Total annualized capital/startup costs 1. Percentage of these responses b. Total annual costs (O&M) collected electronically c. Total annualized cost requested c. Total annual hours requested d. Current OMB inventory d. Current OMB inventory e. Difference e. Difference f. Explanation of difference f. Explanation of difference 1. Program change 1. Program change 2. Adjustment 2. Adjustment 16. Frequency of recordkeeping or reporting (check all that apply) 15. Purpose of information collection (Mark primary with "P" and all others that apply with "X") a. [] Recordkeeping b. [] Third party disclosure] Reporting a. ___ Application for benefits Program planning or management 1. [] On occasion 2. [] Weekly Program evaluation f. Research 3. [] Monthly General purpose statistics g. Regulatory or compliance 4. [] Quarterly 5. [] Semi-annually 6. [] Annually 7. [] Biennially 8. [] Other (describe) 18. Agency Contact (person who can best answer questions regarding 17. Statistical methods Does this information collection employ statistical methods the content of this submission) [] Yes [] No Phone:

OMB 83-I 10/95

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee Date

OMB 83-I 10/95

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Pr Office)	ogram or Staff
Signature	Date
Signature of NOAA Clearance Officer	-
Signature	Date

SUPPORTING STATEMENT TORTUGA ACCESS PERMITS OMB CONTROL NO. 0648-0418

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

The Florida Keys National Marine Sanctuary (FKNMS), working in cooperation with the State of Florida and the Gulf of Mexico Fishery Management Council, has established a 151 square nautical mile "no-take" ecological reserve to protect the critical coral reef ecosystem of the Tortugas, a remote area in the western part of the Florida Keys National Marine Sanctuary. The reserve consists of two sections, Tortugas North and Tortugas South, and required an expansion of Sanctuary boundaries to protect important coral reef resources in the areas of Sherwood Forest and Riley's Hump.

An ecological reserve in the Tortugas preserves the richness of species and health of fish stocks in the Tortugas and throughout the Florida Keys, helping to ensure the stability of commercial and recreational fisheries. The reserve will protect important spawning areas for snapper and grouper, as well as valuable deepwater habitat for other commercial species. Restrictions on vessel discharge and anchoring protect water quality and habitat complexity. The reserve's geographical isolation helps scientists distinguish between natural and human-caused changes to the coral reef environment.

NOAA has issued regulations to implement the reserve and to regulate activities. The regulations prohibit fishing, the taking of organisms, anchoring, and discharging pollutants by vessels and by controls access to the reserve through an access permit. A limited number of mooring buoys are provided to allow users to access the resources without anchoring. The purpose of the access permit is to (1) protect this unique deepwater coral reef, and (2) facilitate the enforcement of the no-take regulations in this remote area. The overall intended effect of this rule is to protect the deepwater coral reef community in this area from being degraded by human activities consistent with Executive Order 13089 on coral reef protection.

Application: An applicant must call the Key West or Marathon Sanctuary office to request a permit. The required information is:

- Names, addresses, and telephone numbers of owner, captain, and applicant.
- Vessel name and home port.
- USCG documentation number, state license, or boat registration number.
- Length of vessel and primary propulsion type (i.e., motor or sail).
- Number of divers.
- Requested effective date and duration of permit.

The permit is free and Sanctuary staff are available year-round to handle requests.

Permit duration: For the time the vessel is in the area, not to exceed two weeks.

Restrictions: Vessels longer than 100 feet cannot use the mooring buoys. Applicants should make advance reservations no more than one month in advance before access is desired.

Special Conditions: Doubling-up on mooring buoys are permissible, leave and return privileges (dive during day, stay at the park overnight) are allowed within the time period covered by the permit.

Call-in requirement: Permit holders must notify FKNMS staff at Dry Tortugas National Park by radio no less than 30 minutes and no more than six hours before entering the reserve; and upon leaving.

Sanctuary staff will enter the submitted information into a database and issue a permit number if all of the required information is provided.

The appeals process for a permit action are described in section 922.50 of the National Marine Sanctuary regulations.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

The information collected through this program will be used by the Florida Keys National Marine Sanctuary and the National Marine Fisheries Service Office of Law Enforcement to monitor the use of the reserve, to ensure mooring buoy capacity is not over-extended, and to provide advance notice to enforcement officers of the presence of users in the reserve. Information will be collected every time a permit is issued to a person.

Collected information will not be disseminated to the public.

3. <u>Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology</u>.

The information will be collected via telephone and VHF radio. These "oral" forms of collection are necessary so that the agency staff person can develop a rapport with the permit applicant and be responsive to their questions about the resources and regulations. The Sanctuary is still considering collecting this information via its website, but has not yet decided that it would appreciable streamline the process. For now information about the collection is available on the FKNMS website at: http://www.fknms.nos.noaa.gov/tortugas/.

4. Describe efforts to identify duplication.

No other agency will be collecting information on users in this proposed reserve. The Department of Interior will be collecting information on users of the Dry Tortugas National Park; however, this is not part of the proposed reserve, therefore, it cannot be modified to meet the needs of NOAA.

5. <u>If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.</u>

The collection will not have a significant economic impact on small entities.

6. <u>Describe the consequences to the Federal program or policy activities if the collection is</u> not conducted or is conducted less frequently.

If the collection is not conducted it would significantly compromise the ability of the agency to adequately enforce the regulations in this remote area and protect the coral reef resources.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The data collection is consistent with OMB guidelines.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice (copy attached) solicited public comment on this collection. No comments were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payment or gift to respondents will be given.

10. <u>Describe any assurance of confidentiality provided to respondents and the basis for</u> assurance in statute, regulation, or agency policy.

The permittees names will become public information once a permit number has been assigned and entered into the database.

11. <u>Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.</u>

No questions of a sensitive nature are required.

12. Provide an estimate in hours of the burden of the collection of information.

Requirement	#	Response	Total	Hrs./	Total	\$/Hour	Total
	Respondents	per	Responses	Response	Hours		Hour
		Respondent					Cost
Charter							
Operators							
Application	21	1	21	0.16	3.36	\$12	40.32
Radio call-in	21*	1	21	0.03	0.63	\$12	7.56
Radio call-out	21*	1	21	0.03	0.63	\$12	7.56
Private							
Operators							
Application	10	1	10	0.16	1.6	\$12	19.2
Radio call-in	10*	1	10	0.03	0.3	\$12	3.6
Radio call-out	10*	1	10	0.03	0.3	\$12	3.6
Other							
Appeal	1*	1	1	1.5	1.5	\$12	18
TOTAL	31		94		8.32		99.84

^{*}Same respondents as for application, so not included in total respondents.

13. Provide an estimate of the total annual cost burden to the respondents or recordkeepers resulting from the collection (excluding the value of the burden hours in #12 above).

We estimate no real additional costs for charter operators and 70% of private operators, since their submissions are by local calls and radio messages. We do estimate that 30% of private operators will make long-distance calls for applications, with a 10 minute call at \$.28 a minute.

3 respondents x 10 minutes x \$.28 = \$8.40.

14. Provide estimates of annualized cost to the Federal government.

Federal costs are estimated at \$1,080 for salaries.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

There is a 30 minute program reduction in burden since certifications can no longer be requested and have been removed. The remaining hour changes are an adjustment from a re-estimate of the number of respondents.

16. For collections whose results will be published, outline the plans for tabulation and publication.

An annual report on the status of Tortugas access permits will be provided to the Sanctuary superintendent for internal agency use only. A list of permittee names will be provided to the public upon request only.

17. <u>If seeking approval to not display the expiration date for OMB approval of the</u> information collection, explain the reasons why display would be inappropriate.

This collection does not involve an application form so the OMB approval number and expiration date shall be provided over the phone if requested.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

This collection does not involve an application form so the OMB approval number and expiration date shall be provided over the phone if requested.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

fish, invertebrates, and marine plants may be possessed aboard a vessel in an Ecological Reserve or Sanctuary Preservation Area, provided such resources can be shown not to have been harvested within, removed from, or taken within, the Ecological Reserve or Sanctuary Preservation Area, as applicable, by being stowed in a cabin, locker, or similar storage area prior to entering and during transit through such reserves or areas, provided further that in an Ecological Reserve or Sanctuary Preservation Area located in Florida State waters, such vessel is in continuous transit through the Ecological Reserve or Sanctuary Preservation Area.

(iii) Except for catch and release fishing by trolling in the Conch Reef, Alligator Reef, Sombrero Reef, and Sand Key SPAs, fishing by any means. However, gear capable of harvesting fish may be aboard a vessel in an Ecological Reserve or Sanctuary Preservation Area, provided such gear is not available for immediate use when entering and during transit through such Ecological Reserve or Sanctuary Preservation Area, and no presumption of fishing activity shall be drawn therefrom.

(iv) Touching living or dead coral, including but not limited to, standing on a living or dead coral formation.

(v) Anchoring in the Tortugas Ecological Reserve. In all other Ecological Reserves and Sanctuary Preservation Areas, placing any anchor in a way that allows the anchor or any portion of the anchor apparatus (including the anchor, chain or rope) to touch living or dead coral, or any attached living organism. When anchoring dive boats, the first diver down must inspect the anchor to ensure that it is not touching living or dead coral, and will not shift in such a way as to touch such coral or other attached organism. No further diving shall take place until the anchor is placed in accordance with these requirements.

(vi) Except in the Tortugas Ecological Reserve where mooring buoys must be used, anchoring instead of mooring when a mooring buoy is available or anchoring in other than a designated anchoring area when such areas have been designated and are available.

(vii) Except for passage without interruption through the area, for law enforcement purposes, or for purposes of monitoring pursuant to paragraph (d)(2) of this section, violating a temporary access restriction imposed by the Director pursuant to paragraph (d)(2) of this section.

(viii) Except for passage without interruption through the area, for law enforcement purposes, or for purposes of monitoring pursuant to paragraph (d)(2) of this section: entering the Tortugas South area of the Tortugas Ecological Reserve; or entering the Tortugas North area of the Tortugas Ecological Reserve without a valid access permit issued pursuant to §922.167 or entering or leaving the Tortugas North area with a valid access permit issued pursuant to §922.167 without notifying FKNMS staff at the Dry Tortugas National Park office by telephone or radio no less than 30 minutes and no more than 6 hours, before entering and upon leaving the Tortugas Ecological Reserve.

(ix) Tying a vessel greater than 100 feet (30.48 meters) LOA, or tying more than one vessel (other than vessels carried on board a vessel) if the combined lengths would exceed 100 feet (30.48 meters) LOA, to a mooring buoy or to a vessel tied to a mooring buoy in the Tortugas Ecological Reserve.

(2) The Director may temporarily restrict access to any portion of any Sanctuary Preservation Area or Ecological Reserve if the Director, on the basis of the best available data, information and studies, determines that a concentration of use appears to be causing or contributing to significant degradation of the living resources of the area and that such action is reasonably necessary to allow for recovery of the living resources of such area. The Director will provide for continuous monitoring of the area during the pendency of the restriction. The Director will provide public notice of the restriction by publishing a notice in the FEDERAL REGISTER, and by such other means as the Director may deem appropriate. The Director may only restrict access to an area for a period of

board all vessels or aircraft used in the conduct of the permitted activity and be displayed for inspection upon the request of any authorized officer.

- (k) Any permit issued pursuant to this section shall be subject to the following terms and conditions:
- (1) All permitted activities shall be conducted in a manner that does not destroy, cause the loss of, or injure Sanctuary resources or qualities, except to the extent that such may be specifically authorized.
- (2) The permittee agrees to hold the United States harmless against any claims arising out of the conduct of the permitted activities.
- (3) All necessary Federal, State, and local permits from all agencies with jurisdiction over the proposed activities shall be secured before commencing field operations.
- (1) In addition to the terms and conditions listed in paragraph (k) of this section, any permit authorizing the research/recovery of historical resources shall be subject to the following terms and conditions:
- (1) A professional archaeologist shall be in charge of planning, field recovery operations, and research analysis.
- (2) An agreement with a conservation laboratory shall be in place before field recovery operations are begun, and an approved nautical conservator shall be in charge of planning, conducting, and supervising the conservation of any artifacts and other materials recovered.
- (3) A curation agreement with a museum or facility for curation, public access and periodic public display, and maintenance of the recovered historical resources shall be in place before commencing field operations (such agreement for the curation and display of recovered historical resources may provide for the release of public artifacts for deaccession/transfer if such deaccession/transfer is consistent with preservation, research, education, or other purposes of the designation and management of the Deaccession/transfer of historical resources requires a Special-use permit issued pursuant to paragraph (d) and such deaccession/transfer shall be executed in accordance with the requirements of the SCR Agreement).

- (4) The site's archaeological information is fully documented, including measured drawings, site maps drawn to professional standards, and photographic records.
- (m) In addition to the terms and conditions listed in paragraph (k) and (l) of this section, any permit issued pursuant to this section is subject to such other terms and conditions, including conditions governing access to, or use of, Sanctuary resources, as the Director deems reasonably necessary or appropriate and in furtherance of the purposes for which the Sanctuary is designated. Such terms and conditions may include, but are not limited to:
- (1) Any data or information obtained under the permit shall be made available to the public.
- (2) A NOAA official shall be allowed to observe any activity conducted under the permit.
- (3) The permittee shall submit one or more reports on the status, progress, or results of any activity authorized by the permit.
- (4) The permittee shall submit an annual report to the Director not later than December 31 of each year on activities conducted pursuant to the permit. The report shall describe all activities conducted under the permit and all revenues derived from such activities during the year and/or term of the permit.
- (5) The permittee shall purchase and maintain general liability insurance or other acceptable security against potential claims for destruction, loss of, or injury to Sanctuary resources arising out of the permitted activities. The amount of insurance or security should be commensurate with an estimated value of the Sanctuary resources in the permitted area. A copy of the insurance policy or security instrument shall be submitted to the Director.

\$922.167 Permits for access to the Tortugas Ecological Reserve.

(a) A person may enter the Tortugas North area of the Tortugas Ecological Reserve other than for passage without interruption through the reserve, for law enforcement purposes, or for purposes of monitoring pursuant to paragraph (d)(2) of §922.164, if authorized

§ 922.168

by a valid access permit issued pursuant to §922.167.

(b)(1) Access permits must be requested at least 72 hours but no longer than one month before the date the permit is desired to be effective. Access permits do not require written applications or the payment of any fee. Permits may be requested via telephone or radio by contacting FKNMS at any of the following numbers:

Key West office: telephone: (305) 292-0311

Marathon office: telephone: (305) 743–2437

- (2) The following information must be provided, as applicable:
 - (i) Vessel name.
- (ii) Name, address, and telephone number of owner and operator.
- (iii) Name, address, and telephone number of applicant.
- (iv) USCG documentation, state license, or registration number.
 - (v) Home port.
- (vi) Length of vessel and propulsion type (i.e., motor or sail).
- (vii) Number of divers.
- (viii) Requested effective date and duration of permit (2 weeks, maximum).
- (c) The Sanctuary Superintendent will issue a permit to the owner or to the owner's representative for the vessel when all applicable information has been provided. The Sanctuary Superintendent will provide a permit number to the applicant and confirm the effective date and duration period of the permit. Written confirmation of permit issuance will be provided upon request.

[66 FR 4370, Jan. 17, 2001]

§ 922.168 Certification of preexisting leases, licenses, permits, approvals, other authorizations, or rights to conduct a prohibited activity.

- (a) A person may conduct an activity prohibited by §§ 922.163 or 922.164 if such activity is specifically authorized by a valid Federal, State, or local lease, permit, license, approval, or other authorization in existence on July 1, 1997, or by any valid right of subsistence use or access in existence on July 1, 1997, provided that:
- (1) The holder of such authorization or right notifies the Director, in writ-

ing, within 90 days of July 1, 1997, of the existence of such authorization or right and requests certification of such authorization or right; for the area added to the Sanctuary by the boundary expansion for the Tortugas Ecological Reserve, the holder of such authorization or right notifies the Director, in writing, within 90 days of the effective date of the boundary expansion, of the existence of such authorization or right and requests certification of such authorization or right.

- (2) The holder complies with the other provisions of this §922.168; and
- (3) The holder complies with any terms and conditions on the exercise of such authorization or right imposed as a condition of certification, by the Director, to achieve the purposes for which the Sanctuary was designated.
- (b) The holder of an authorization or right described in paragraph (a) of this section authorizing an activity prohibited by Secs. 922.163 or 922.164 may conduct the activity without being in violation of applicable provisions of Secs. 922.163 or 922.164, pending final agency action on his or her certification request, provided the holder is in compliance with this §922.168.
- (c) Any holder of an authorization or right described in paragraph (a) of this section may request the Director to issue a finding as to whether the activity for which the authorization has been issued, or the right given, is prohibited by Secs. 922.163 or 922.164, thus requiring certification under this section.
- (d) Requests for findings or certifications should be addressed to the Director, Office of Ocean and Coastal Resource Management; ATTN: Sanctuary Superintendent, Florida Keys National Marine Sanctuary, P.O. Box 500368, Marathon, FL 33050. A copy of the lease, permit, license, approval, or other authorization must accompany the request.
- (e) The Director may request additional information from the certification requester as he or she deems reasonably necessary to condition appropriately the exercise of the certified authorization or right to achieve the purposes for which the Sanctuary was designated. The information requested

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Final version (Enrolled Bill) as passed by both Houses. There are 3 other versions of this bill.

References to this bill in the	Link to the Bill Summary	Printer Friendly Display - 20,753
Congressional Record	<u>& Status file</u> .	bytes.[Help]

Florida Keys National Marine Sanctuary and Protection Act (Enrolled as Agreed to or Passed by Both House and Senate)

--H.R.5909--

H.R.5909

One Hundred First Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Tuesday, the twenty-third day of January,

one thousand nine hundred and ninety

An Act

To establish the Florida Keys National Marine Sanctuary, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the `Florida Keys National Marine Sanctuary and Protection Act'.

FINDINGS

SEC. 2. The Congress finds and declares the following:

- (1) The Florida Keys extend approximately 220 miles southwest from the southern tip of the Florida peninsula.
- (2) Adjacent to the Florida Keys land mass are located spectacular, unique, and nationally significant marine environments, including seagrass meadows, mangrove islands, and extensive living coral reefs.
- (3) These marine environments support rich biological communities possessing extensive conservation, recreational, commercial, ecological, historical, research, educational, and esthetic values which give this area special national significance.
- (4) These environments are the marine equivalent of tropical rain forests in that they support high levels of biological diversity, are fragile and easily susceptible to damage from human activities, and possess high value to human beings if properly conserved.
- (5) These marine environments are subject to damage and loss of their ecological integrity from a variety of sources of disturbance.
- (6) Vessel groundings along the reefs of the Florida Keys represent one of many serious threats to the continued vitality of the marine environments of the Florida Keys which must be addressed in order to protect their values.
- (7) Action is necessary to provide comprehensive protection for these marine environments by establishing a Florida Keys National Marine Sanctuary, by restricting vessel traffic within such Sanctuary, and by requiring promulgation of a management plan and regulations to protect Sanctuary resources.
- (8) The agencies of the United States must cooperate fully to achieve the necessary protection of Sanctuary resources.
- (9) The Federal Government and the State of Florida should jointly develop and implement a comprehensive program to reduce pollution in the waters offshore the Florida Keys to protect and restore the water quality, coral reefs, and other living marine resources of the Florida Keys environment.

POLICY AND PURPOSE

- SEC. 3. (a) POLICY- It is the policy of the United States to protect and preserve living and other resources of the Florida Keys marine environment.
- (b) PURPOSE- The purpose of this Act is to protect the resources of the area described in section 5(b), to educate and interpret for the public regarding the Florida Keys marine environment, and to manage such human uses of the Sanctuary consistent with this Act. Nothing in this Act is intended to restrict activities that do not cause an adverse effect to the resources or property of the Sanctuary or that do not pose harm to users of the Sanctuary.

DEFINITION

- SEC. 4. As used in this Act, the term `adverse effect' means any factor, force, or action that would independently or cumulatively damage, diminish, degrade, impair, destroy, or otherwise harm--
 - (1) any Sanctuary resource, as defined in section 302(8) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1432(8)); or
 - (2) any of those qualities, values, or purposes for which the Sanctuary is designated.

SANCTUARY DESIGNATION

- SEC. 5. (a) DESIGNATION- The area described in subsection (b) is designated as the Florida Keys National Marine Sanctuary (in this Act referred to as the `Sanctuary') under title III of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1431 et seq.). The Sanctuary shall be managed and regulations enforced under all applicable provisions of such title III as if the Sanctuary had been designated under such title.
- (b) AREA INCLUDED- (1) Subject to subsections (c) and (d), the area referred to in subsection (a) consists of all submerged lands and waters, including living marine and other resources within and on those lands and waters, from the mean high water mark to the boundary described under paragraph (2), with the exception of areas within the Fort Jefferson National Monument. The Sanctuary shall be generally identified and depicted on National Oceanic and Atmospheric Administration charts FKNMS 1 and 2, which shall be maintained on file and kept available for public examination during regular business hours at the Office of Ocean and Coastal Resource Management of the National Oceanic and Atmospheric Administration and which shall be updated to reflect boundary modifications under this section.
- (2) The boundary referred to in paragraph (1)--
 - (A) begins at the northeasternmost point of Biscayne National Park located at

approximately 25 degrees 39 minutes north latitude, 80 degrees 5 minutes west longitude, then runs eastward to the 300-foot isobath located at approximately 25 degrees 39 minutes north latitude, 80 degrees 4 minutes west longitude;

- (B) then runs southward and connects in succession the points at the following coordinates:
 - (i) 25 degrees 34 minutes north latitude, 80 degrees 4 minutes west longitude,
 - (ii) 25 degrees 28 minutes north latitude, 80 degrees 5 minutes west longitude, and
 - (iii) 25 degrees 21 minutes north latitude, 80 degrees 7 minutes west longitude;
- (C) then runs southward to the northeastern corner of the existing Key Largo National Marine Sanctuary located at 25 degrees 16 minutes north latitude, 80 degrees 8 minutes west longitude;
- (D) then runs southwesterly approximating the 300-foot isobath and connects in succession the points at the following coordinates:
 - (i) 25 degrees 7 minutes north latitude, 80 degrees 13 minutes west longitude,
 - (ii) 24 degrees 57 minutes north latitude, 80 degrees 21 minutes west longitude,
 - (iii) 24 degrees 39 minutes north latitude, 80 degrees 52 minutes west longitude,
 - (iv) 24 degrees 30 minutes north latitude, 81 degrees 23 minutes west longitude,
 - (v) 24 degrees 25 minutes north latitude, 81 degrees 50 minutes west longitude,
 - (vi) 24 degrees 22 minutes north latitude, 82 degrees 48 minutes west longitude,
 - (vii) 24 degrees 37 minutes north latitude, 83 degrees 6 minutes west longitude,
 - (viii) 24 degrees 40 minutes north latitude, 83 degrees 6 minutes west longitude,
 - (ix) 24 degrees 46 minutes north latitude, 82 degrees 54 minutes west longitude,
 - (x) 24 degrees 44 minutes north latitude, 81 degrees 55 minutes west longitude,
 - (xi) 24 degrees 51 minutes north latitude, 81 degrees 26 minutes west longitude,

- (xii) 24 degrees 55 minutes north latitude, 80 degrees 56 minutes west longitude;
- (E) then follows the boundary of Everglades National Park in a southerly then northeasterly direction through Florida Bay, Buttonwood Sound, Tarpon Basin, and Blackwater Sound;
- (F) after Division Point, then departs from the boundary of Everglades National Park and follows the western shoreline of Manatee Bay, Barnes Sound, and Card Sound;
- (G) then follows the southern boundary of Biscayne National Park and the northern boundary of Key Largo National Marine Sanctuary to the southeasternmost point of Biscayne National Park; and
- (H) then follows the eastern boundary of the Biscayne National Park to the beginning point specified in subparagraph (A).
- (c) AREAS WITHIN STATE OF FLORIDA- The designation under subsection (a) shall not take effect for any area located within the waters of the State of Florida if, not later than 45 days after the date of enactment of this Act, the Governor of the State of Florida objects in writing to the Secretary of Commerce.
- (d) BOUNDARY MODIFICATIONS- No later than the issuance of the draft environmental impact statement for the Sanctuary under section 304(a)(1)(C)(vii) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1434(a)(1)(C)(vii)), in consultation with the Governor of the State of Florida, if appropriate, the Secretary of Commerce may make minor modifications to the boundaries of the Sanctuary as necessary to properly protect Sanctuary resources. The Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives a written notification of such modifications. Any boundary modification made under this subsection shall be reflected on the charts referred to in subsection (b)(1).

PROHIBITION OF CERTAIN USES

- SEC. 6. (a) VESSEL TRAFFIC- (1) Consistent with generally recognized principles of international law, a person may not operate a tank vessel (as that term is defined in section 2101 of title 46, United States Code) or a vessel greater than 50 meters in length in the Area To Be Avoided described in the Federal Register notice of May 9, 1990 (55 Fed. Reg. 19418-19419).
- (2) The prohibition in paragraph (1) shall not apply to necessary operations of public vessels. For

the purposes of this paragraph, necessary operations of public vessels shall include operations essential for national defense, law enforcement, and responses to emergencies that threaten life, property, or the environment.

- (3) The provisions of paragraphs (1) and (2), including the area in which vessel operations are prohibited under paragraph (1), may be modified by regulations issued jointly by the Secretary of the department in which the Coast Guard is operating and the Secretary of Commerce.
- (4) This subsection shall be effective on the earliest of the following:
 - (A) the date that is six months after the date of enactment of this Act,
 - (B) the date of publication of a notice to mariners consistent with this section, or
 - (C) the date of publication of new nautical charts consistent with this section.
- (b) MINERAL AND HYDROCARBON LEASING, EXPLORATION, DEVELOPMENT, AND PRODUCTION- No leasing, exploration, development, or production of minerals or hydrocarbons shall be permitted within the Sanctuary.

comprehensive management plan

- SEC. 7. (a) PREPARATION OF PLAN- The Secretary of Commerce, in consultation with appropriate Federal, State, and local government authorities and with the Advisory Council established under section 208, shall develop a comprehensive management plan and implementing regulations to achieve the policy and purpose of this Act. The Secretary of Commerce shall complete such comprehensive management plan and final regulations for the Sanctuary not later than 30 months after the date of enactment of this Act. In developing the plan and regulations, the Secretary of Commerce shall follow the procedures specified in sections 303 and 304 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1433 and 1434), except those procedures requiring the delineation of Sanctuary boundaries and development of a resource assessment report. Such comprehensive management plan shall--
 - (1) facilitate all public and private uses of the Sanctuary consistent with the primary objective of Sanctuary resource protection;
 - (2) consider temporal and geographical zoning, to ensure protection of Sanctuary resources;
 - (3) incorporate regulations necessary to enforce the elements of the comprehensive water quality protection program developed under section 8 unless the Secretary of Commerce determines that such program does not meet the purpose for which the Sanctuary is

designated or is otherwise inconsistent or incompatible with the comprehensive management plan developed under this section;

- (4) identify needs for research and establish a long-term ecological monitoring program;
- (5) identify alternative sources of funding needed to fully implement the plan's provisions and supplement appropriations under section 9 of this Act and section 313 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1444).
- (6) ensure coordination and cooperation between Sanctuary managers and other Federal, State, and local authorities with jurisdiction within or adjacent to the Sanctuary;
- (7) promote education, among users of the Sanctuary, about coral reef conservation and navigational safety; and
- (8) incorporate the existing Looe Key and Key Largo National Marine Sanctuaries into the Florida Keys National Marine Sanctuary except the Looe Key and Key Largo Sanctuaries shall continue to be operated until completion of the comprehensive management plan for the Florida Keys Sanctuary.
- (b) PUBLIC PARTICIPATION- The Secretary of Commerce shall provide for participation by the general public in development of the comprehensive management plan.
- (c) TERMINATION OF STUDIES- On the date of enactment of this Act, all congressionally mandated studies of existing areas in the Florida Keys for designation as National Marine Sanctuaries shall be terminated.

florida keys water quality

- SEC. 8. (a) WATER QUALITY PROTECTION PROGRAM- (1) Not later than 18 months after the date of enactment of this Act, the Administrator of the Environmental Protection Agency and the Governor of the State of Florida, in consultation with the Secretary of Commerce, shall develop a comprehensive water quality protection program for the Sanctuary. If the Secretary of Commerce determines that such comprehensive water quality protection program does not meet the purpose for which the Sanctuary is designated or is otherwise inconsistent or incompatible with the comprehensive management plan prepared under section 7, such water quality program shall not be included in the comprehensive management plan. The purposes of such water quality program shall be to--
 - (A) recommend priority corrective actions and compliance schedules addressing point and nonpoint sources of pollution to restore and maintain the chemical, physical, and biological integrity of the Sanctuary, including restoration and maintenance of a balanced, indigenous

population of corals, shellfish, fish and wildlife, and recreational activities in and on the water; and

- (B) assign responsibilities for the implementation of the program among the Governor, the Secretary of Commerce, and the Administrator in accordance with applicable Federal and State laws.
- (2) The program required by paragraph (1) shall, under applicable Federal and State laws, provide for measures to achieve the purposes described under paragraph (1), including--
 - (A) adoption or revision, under applicable Federal and State laws, by the State and the Administrator of applicable water quality standards for the Sanctuary, based on water quality criteria which may utilize biological monitoring or assessment methods, to assure protection and restoration of the water quality, coral reefs, and other living marine resources of the Sanctuary;
 - (B) adoption under applicable Federal and State laws of enforceable pollution control measures (including water quality/based effluent limitations and best management practices) and methods to eliminate or reduce pollution from point and nonpoint sources;
 - (C) establishment of a comprehensive water quality monitoring program to (i) determine the sources of pollution causing or contributing to existing or anticipated pollution problems in the Sanctuary, (ii) evaluate the effectiveness of efforts to reduce or eliminate those sources of pollution, and (iii) evaluate progress toward achieving and maintaining water quality standards and toward protecting and restoring the coral reefs and other living marine resources of the Sanctuary;
 - (D) provision of adequate opportunity for public participation in all aspects of developing and implementing the program; and
 - (E) identification of funding for implementation of the program, including appropriate Federal and State cost sharing arrangements.
- (b) COMPLIANCE AND ENFORCEMENT- The Administrator of the Environmental Protection Agency, the Secretary of Commerce, and the Governor of the State of Florida shall ensure compliance with the program required by this section, consistent with applicable Federal and State laws.
- (c) CONSULTATION- In the development and implementation of the program required by paragraph (1), appropriate State and local government officials shall be consulted.

ADVISORY COUNCIL

- SEC. 9. (a) ESTABLISHMENT- The Secretary of Commerce, in consultation with the Governor of the State of Florida and the Board of County Commissioners of Monroe County, Florida, shall establish an Advisory Council to assist the Secretary in the development and implementation of the comprehensive management plan for the Sanctuary.
- (b) MEMBERSHIP- Members of the Advisory Council may be appointed from among (1) Sanctuary managers, (2) members of other government agencies with overlapping management responsibilities for the Florida Keys marine environment, and (3) representatives of local industries, commercial users, conservation groups, the marine scientific and educational community, recreational user groups, or the general public.
- (c) EXPENSES- Members of the Advisory Council shall not be paid compensation for their service as members and shall not be reimbursed for actual and necessary traveling and subsistence expenses incurred by them in the performance of their duties as such members.
- (d) ADMINISTRATION- The Advisory Council shall elect a chairperson and may establish subcommittees, and adopt by-laws, rules, and such other administrative requirements and procedures as are necessary for the administration of its functions.
- (e) STAFFING AND OTHER ASSISTANCE- The Secretary of Commerce shall make available to the Advisory Council such staff, information, and administrative services and assistance as the Secretary of Commerce determines are reasonably required to enable the Advisory Council to carry out its functions.

AUTHORIZATION OF APPROPRIATIONS

- SEC. 10. (a) AUTHORIZATION FOR SECRETARY OF COMMERCE- Section 313(2)(C) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1444(2)(C)) is amended by striking `\$3,000,000' and inserting in lieu thereof `\$4,000,000'.
- (b) AUTHORIZATION FOR EPA ADMINISTRATOR- There are authorized to be appropriated to the Administrator of the Environmental Protection Agency \$750,000 for each of the fiscal years 1991 and 1992.
- (c) REPORT- The Secretary of Commerce shall, not later than March 1, 1991, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives a report on the future requirements for funding the Sanctuary through fiscal year 1999 under title III of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 14321 et seq.).

Speaker of the House of Representatives.				
Vice President of the United States and				
President of the Senate.				

burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: March 12, 2003

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 03-6590 Filed 3-18-03; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE [I.D. 031403B]

Submission for OMB Review; Comment Request

The Department of Commerce has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration.

Title: Vessel Monitoring System for Atlantic Highly Migratory Species.

Form Number(s): None.

OMB Approval Number: 0648–0372.

Type of Request: Regular submission.

Burden Hours: 2,181.

Number of Respondents: 320.

Average Hours Per Response: 4 hours for installation of equipment; 2 hours for annual maintenance of the equipment (beginning in the second year); 0.3 seconds per automated position report from the automated

equipment; and 5 minutes to complete

and return a one-time installation checklist.

Needs and Uses: Vessels fishing for Atlantic tuna and swordfish that use pelagic longline gear are required to install and operate vessel monitoring systems. Automatic position reports are submitted on an hourly basis whenever the vessel is at sea. The National Marine Fisheries Service (NMFS) proposes to revise the current requirements to add an installation checklist that vessel operators would follow and then submit to NMFS. The checklist provides information on the hardware and communications service selected by each vessel. NMFS will use the returned checklists to ensure that position reports are received and to aid NMFS in troubleshooting problems.

Affected Public: Business or other forprofit organizations. Frequency: One-time, on occasion. Respondent's Obligation: Mandatory. OMB Desk Officer: David Rostker, (202) 395–3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482–0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20503.

Dated: March 12, 2003.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 03–6591 Filed 3–18–03; 8:45 am]
BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 031403C]

Proposed Information Collection; Comment Request; Tortugas Access Permits.

AGENCY: National Oceanic and Atmospheric Administration (NOAA). **ACTION:** Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before May 19, 2003.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the information collection instrument and instructions should be directed to John Armor at 301–713– 3125, ext. 117, or at *John.Armor@noaa.gov*.

SUPPLEMENTARY INFORMATION:

I. Abstract

In order to gain access to the Tortugas ecological reserve, persons must obtain a permit. The permit holders must notify NOAA by radio no less than 30 minutes and no more than 6 hours before entering the reserve, and when leaving it. Permit actions may be appealed.

The purposes of the access permit and notifications are to (1) protect this unique deepwater coral reef and (2) facilitate the enforcement of the no-take regulations in this remote area. The overall intended effect of this collection is to protect the deepwater coral reef community in this area from being degraded by human activities.

II. Method of Collection

Applications and notifications are made by phone. Appeals must be in writing.

III. Data

OMB Number: 0648–0418. *Form Number:* None.

Type of Review: Regular submission. Affected Public: Business or other forprofit organizations; individuals or households; not-for-profit institutions; State, Local, or Tribal Government.

Estimated Number of Respondents: 101.

Estimated Time Per Response: 10 minutes for a application; 2 minutes for a radio call; and 90 minutes for an appeal.

Estimated Total Annual Burden

Estimated Total Annual Cost to Public: \$28.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: March 12, 2003.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 03–6592 Filed 3–18–03; 8:45 am] **BILLING CODE 3510–22–S**

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 031403D]

Proposed Collection; Comment Request; Basic Requirements for All Marine Mammal Special Exception Permits to Take, Import and Export Marine Mammals, and for Maintaining a Captive Marine Mammal Inventory under the Marine Mammal Protection Act, the Fur Seal Act, and the Endangered Species Act.

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before May 19, 2003.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the information collection instrument and instructions should be directed to Amy Sloan or Ruth Johnson at 301–713- 2289, or to Amy.Sloan@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The respondents will be applicants for and holders of scientific research and enhancement permits, commercial and educational photography permits, public display permits for captures and first-time imports, and Letter of Confirmation holders under the General Authorization for Level B scientific research projects. The Marine Mammal Protection Act (MMPA), the Fur Seal Act (FSA) and the Endangered Species Act (ESA) prohibit the taking, import, and export of marine mammals with certain exceptions. Applicants desiring a permit or authorization to take, import, or export must provide certain information to be used as a basis for determining whether the proposed activity is consistent with the purposes, policies, and requirements of the MMPA, ESA, and/or FSA and if a permit or authorization should be issued. Permit holders and authorized researchers under the General Authorization are required to report periodically on activities conducted and species taken to ensure compliance with permit conditions and protection of the animals. This also updates information as necessary on any marine mammals held captive for purposes of maintaining the marine mammal inventory as required under the 1994 Amendments to the MMPA.

There is no overlap or duplication for marine mammal permit actions under the ESA as the marine mammal regulations (50 CFR 216.32 - 216.44) address requirements of both laws, and a single application and permit covers all requirements of both.

II. Method of Collection

Most application material is paper and written to respond to a required format. Some reports can be submitted electronically.

III. Data

OMB Number: 0648–0084. Form Number: None.

Type of Review: Regular submission. Affected Public: Individuals or households; business or other for-profit organizations; not-for-profit institutions; Federal Government; and State, Local, or Tribal Government. The majority of the affected public will be from the scientific research community, photographic journalists, and public display facilities. Estimated Number of Respondents: 493.

Estimated Time Per Response: 29 hours for an application for a scientific research or enhancement permit; 20 hours for an application for a public display permit; 10 hours for an application for a photography permit; 19 hours for a major amendment to a permit; 3 hours for a minor amendment to a permit or for a change to a General Authorization; 2 hours for a request to retain or transfer a rehabilitated marine mammal; 1 hour for a foreign government certification and comity statement for a public display export

request; 30 minutes for notification of a public display capture or import; 2 hours for a notification of and report on a public display capture; 30 minutes for an emergency transfer waiver of notifications; 30 minutes for an initial escape report; 1 hour for an one-week status report on an escape; 2 hours for a six-month status report on an escape; 12 hours for a scientific research/ enhancement annual or final report; 2 hours for public display or photography permit annual or final report; 8 hours for a General Authorization annual or final report; 2 hours for a marine mammal inventory (1 hour for a transport notification, 30 minutes for a data sheet and a person/holder/facility sheet); and 2 hours for recordkeeping.

Estimated Total Annual Burden Hours: 6,462.

Estimated Total Annual Cost to Public: \$1,000.

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: March 12, 2003.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 03–6593 Filed 3–18–03; 8:45 am] **BILLING CODE 3510–22–S**

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 010203E]

Marine Mammals; File No. 1026-1671

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.